



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

Assistant Secretary

1200 New Jersey Ave., S.E.
Washington, DC 20590

April 22, 2009

DEPT OF TRANSPORTATION
DOCKETS

2009-1 P 2:21

The Honorable Bill Nelson
United States Senate
Washington, DC 20510

Dear Senator Nelson:

Thank you for your letter of March 20, 2009, supporting and urging prompt action on a request by Continental Airlines and United Air Lines for a grant of antitrust immunity to operate an alliance. The Secretary has requested that I respond to your letter directly.

The U.S. Department of Transportation's review of this request is part of a public proceeding in which interested parties have the opportunity to comment. The Department carefully considers all requests for antitrust immunity, beginning with a review of the record to assess whether there is sufficient information to make a reasoned decision that satisfies all statutory requirements. Decisions regarding requests for antitrust immunity are made after consultation with the Department of Justice, and are based upon statutory standards that include antitrust principles.

As you may be aware, we recently issued an order proposing to grant the antitrust immunity requested. We will evaluate any new comments submitted in response to our proposal and then proceed to issue a final decision as soon as possible. As this proceeding is still pending, I am sure you understand that I cannot comment further. I assure you, however, that the Department will give full and fair consideration to the application, as well as all comments in the docket.

As is our normal practice, I am placing a copy of your letter and this response in Docket OST-2008-0234 as a contact outside the record in this matter. I appreciate your interest in this proceeding.

Sincerely yours,

Christa Fornarotto
Acting Assistant Secretary
for Aviation and International Affairs



United States Senate

WASHINGTON, DC 20510-0905

BILL NELSON
FLORIDA

March 20, 2009

The Honorable Raymond H. LaHood
Secretary
Department of Transportation
1200 New Jersey Ave., S.E.
Washington, DC 20590

Dear Secretary LaHood:

I write to ask that you expedite review and consideration of the pending Star Alliance application, which will allow Continental, United and other Star member airlines to cooperate on international itineraries while ensuring that domestic competition remains in accordance with U.S. competition laws.

I believe that global alliance agreements are pro-competitive. Allowing Continental and United to join the Star Alliance will give airline passengers more choices in their itineraries, flights and fares, and will balance competition among alliances in Florida. Delaying a decision on the Star application only delays these benefits to consumers.

The rights requested by the Star airlines mirror those previously granted by the Department to Delta and its SkyTeam trans-Atlantic partners, as well as those you are considering in the American Airlines/OneWorld ATI application. Continental and United continue to operate as independent airlines, but to compete worldwide they must be afforded the same global rights as their counterparts. I urge you to complete review of the Star application promptly.

Sincerely,

Bill Nelson